

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

LEANTHONY MOSES,

Plaintiff,

versus

LASALLE CORR. CORP. LLC, *et al.*,

Defendants.

CIVIL ACTION NO. 1:22-CV-343

**MEMORANDUM ORDER ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION**

Leanthony Moses, proceeding *pro se*, filed this civil rights lawsuit. The court previously referred the case to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration pursuant to applicable laws. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending the case dismissed without prejudice for failure to state a claim upon which relief may be granted based upon plaintiff's failure to exhaust administrative remedies. To date, the parties have not filed objections.

Plaintiff has filed a motion (#29) seeking additional time to exhaust. As administrative remedies must be exhausted before a case is filed, *Porter v. Nussle*, 534 U.S. 516, 524 (2002), plaintiff's motion cannot be granted. The motion is therefore **DENIED**.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the magistrate judge are correct.

Accordingly, the Report and Recommendation of United States Magistrate Judge (#28) is **ADOPTED**. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 21st day of August, 2024.

Marcia A. Crone

MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE